

## **EXHIBIT 3**



[Line numbering in Hebrew original]

Date: 11 Shevat, 5773  
January 14, 2003

File Number: 3739/02

**Military Court, Beit El  
Transcript of Hearing before Bench**

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**Before the Presiding Judge: Lieutenant-Colonel Netanel Benichou**

**Judge: Captain Ben Zion Shefer**

**Judge: Captain Yitzhak Ozadin**

**Prosecutor: Captain Michael Kotlik – Present**

**Defense Attorney: Not represented**

**Defendant: Nasser Jamal Mousa Shawish Identity No. 993006188/ Prisons Service – Present**

**Interpreter: Sergeant Hamdan Hamed**

**Recorder: Corporal Liron Mizrahi**

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The Presiding Judge opens the hearing and identifies the Defendant.

**HEARING**

**Defense Witness No. 3** [REDACTED]

**The witness is warned to tell the truth.**

**DIRECT EXAMINATION:**

**Q: I ask that you relate to the crime attributed to me, according to which I was involved in planning a terrorist attack carried out by someone named [REDACTED].**

**A: I don't know what there was with [REDACTED], we sat in the hotel and [REDACTED] wanted to bring food, we went, I and his little girl, and on the way he stopped and took [REDACTED] to the Abu Riya Hospital, and after that we went home, and what happened I don't know.**

**Q: Do you know any further particulars relating to [REDACTED] activities?**

**A: No.**

**Q: Do you know that the young woman who was in the car with me intended to commit suicide?**

**A: I did not know.**

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**Q: In your statement to the police it is written that you were in the house, I think they took the statement from you by force, relate to that.**

A: Yes, initially the investigator threatened me, and so I was forced to speak.

Q: How many people were present when they took your statement?

A: Two, apart from the policewoman who was present.

Q: What were the threats that they made?

A: They threatened me a lot. !

Q: In connection with Mohamed Hashaiqa's terrorist attack, according to your statement that I planned the terrorist attack, what do you know about this terrorist attack, and can you tell the Court how the terrorist attack was carried out?

A: I don't know Mohamed Hashaiqa, I only saw it on television.

Defendant: I have no further questions.

**CROSS EXAMINATION:**

Q: Do you remember that you have already testified once in this case?

A: Yes.

Q: What you said then was true?

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A: I have forgotten what I said.

Q: Is it possible that you lied then to the Court?

A: I don't remember what I said.

Q: Could it be that you lied, or do you always tell the truth?

A: I want to know what I said the last time, and that way I'll know if I lied or not.

Q: Did you lie then?

A: I repeat that I don't remember that I said, to be able to know if I lied or not.

Q: The previous time you told of how you dressed [REDACTED] in the belt, do you remember?

A: I said that here? I don't remember saying such a thing.

Q: You said that they didn't suggest that you do a terrorist attack.

A: Nobody suggested it to me and we didn't think about it.

Q: And you remember that the Prosecutor read from your testimony, and you confirmed it.

A: I agreed? I don't remember.

Q: Do you remember where you were interrogated?

A: I think so, at Ofer.

Q: So you do remember something.

A: Yes. That's an interrogation.

Q: Do you remember who sent Mohamed Hashaiqa to commit suicide?

A: What connection is there between Mohamed Hashaiqa and my case?

Q: There's a connection between Mohamed Hashaiqa and your case?

A: No. I know Mohamed Hashaiqa in the same way that all of you know him, through the television. They interrogated me about Mohamed Hashaiqa without me knowing?

Q: They questioned you about Mohamed Hashaiqa?

A: No.

To the Court's question: In your interrogation at the police, there was one policeman present, is that correct?

A: Yes.

Defendant: I submit to the Court a page in connection with my complaints against the Israel Security Agency and publications made in the Yedioth Aharonoth newspaper. (Accepted and marked Defense/1)

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Defense Witness No. 4 [REDACTED]

The witness is warned to tell the truth.

**DIRECT EXAMINATION:**

Q: Can you say something in connection with Mohamed Hashaiqa?

A: In regard to [REDACTED], there is no relationship between us. If you want me to explain to you how the terrorist attack was carried out, I am prepared to do so.

Q: Tell the Court how the terrorist attack was carried out.

A: This name is not mentioned in my indictment.

The witness and the Defendant talk.

O: What was my connection with the terrorist attack carried out by Mohamed Hashaiqa.

I took Mohamed Hashaiqa to the Qalandiya checkpoint, and introduced him to me, after they had prepared him. I called [REDACTED] and she took Hashaiqa to Jerusalem and he carried out the terrorist attack.

To the Court's question: After they prepared Mohamed Hashaiqa. They prepared him, who prepared him?

A: I and [REDACTED].

Defendant: In connection with the Mohamed Hashaiqa operation, the details of the incident, in my statement there are things that are not true and there are things that are true. I want to make clear to the Court those things that are true. Mohamed Hashaiqa, I sent him and filmed him and explained to him the place

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for the terrorist attack; in connection with the time and date of the terrorist attack and preparation of the terrorist attack, I received the belt and prepared him and dressed the suicide terrorist. Subsequently I checked the place for the terrorist attack, and I brought the car and drove Mohamed Hashaiqa up to the Qalandiya checkpoint, from the checkpoint I put him into a taxi, I don't remember which taxi, and I explained to the taxi driver to drive him to King George Street, I was in contact with Mohamed, he passed all the checkpoints on the way to Jerusalem, and he found the right place to commit suicide and did so. In connection with Mohamed Hashaiqa there is an admission by [REDACTED]

[REDACTED] These are the exact and true details, and it may be that under interrogation she was afraid, it's natural when a young woman is under interrogation, of course pressure was put upon her, and [REDACTED] connection, I informed the media about the terrorist attack and she knew of the terrorist attack only after it had been carried out. [REDACTED] knew of the terrorist attack, but he did not participate in it. In connection with [REDACTED] I was present in Ramallah, [REDACTED] came to me there and asked, and I don't know where she got my telephone number from, when she came to Ramallah she called and told me [REDACTED]. Initially I

refused to send her, and upon returning to Nablus people called me and told me that [REDACTED]

I thought that she would go for nothing, I prepared the explosive belt for her in Ramallah, I dressed her in it and I drove her to the taxi, and the taxi took her to the Modiin checkpoint, of course I planned the terrorist attack against Modiin checkpoint, which is a military checkpoint, and that's where the terrorist attack took place.

Military Prosecutor: I am satisfied with the Defendant's statements, as given on October 6, 2002, December 10, 2002, and now. I ask to make clear to the Court that the Defendant's admission is not the result of a bargain or a promise that we made to him.

Defendant: I wish to add, in connection with [REDACTED] terrorist attack, in connection with dressing [REDACTED] and in connection with the terrorist attack, during preparations, this is because I want to demonstrate that there are many errors in the statements, and [REDACTED] admission when she said [REDACTED], it's not true. It was I who produced the belt, and I dressed her in it, I filmed her, and it is I who filmed the terrorist attack, and I dressed her in the belt in the presence of [REDACTED]. [REDACTED] had no connection, but she was with me, present in the vehicle.

[Stamp] P 5: 108

Military Prosecutor: I repeat my motion to convict the Defendant on the basis of his own confession, I move, since the Court will convict the Defendant, to adjourn the case to March 17, 2003, for arguments as to penalty.

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**Military Court, Beit El  
Transcript of Hearing before Bench**

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Before the Deputy President: Major Netanel Benichou  
Judge: Captain Ben Zion Shefer  
Judge: Captain Yitzhak Ozadin

**Prosecutor: Captain Michael Kotlik – Present**

**Defendant: Nasser Jamal Mousa Shawish Identity No. 993006188/ Prisons Service – Present**

**Interpreter: Staff Sergeant Mohammed Nasreddin  
Recorder: Private Hadas Bilitzky**

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**The Presiding Judge opens the hearing and identifies the Defendant.**

**HEARING**

On the basis of the Defendant's confessions in the Court hearings of October 6, 2002, November 24, 2002, December 10, 2002, January 14, 2002, we convict the Defendant of the crimes attributed to him in the following counts of the indictment:

1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 21 (in line with the Defendant's statement of December 10, 2002), 22 (subject to the description of the matter as given by the Defendant), 23, 24 (with the reservation that the Defendant planned for the terrorist attack to be carried out at soldier at the A-Ram checkpoint), 25 (subject to the description of the matter as given by the Defendant), 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 39, 42.

We acquit the Defendant of the following counts of the indictment: [REDACTED]

*Case adjourned to March 10, 2002, for arguments as to penalty.*

**Given and notified this day, January 14, 2003, in public and in the presence of the parties.**

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[Signature]

Judge

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[Signature]

Presiding Judge

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[Signature]

Judge

[Stamp] P 5: 109



IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

MARK I. SOKOLOW, *et al.*,

Plaintiffs,

vs.

THE PALESTINE LIBERATION  
ORGANIZATION, *et al.*,

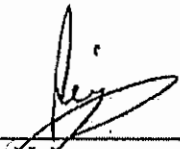
Defendants.

No. 04 Civ. 00397 (GBD) (RLE)

DECLARATION OF RINA NE'EMAN

Rina Ne'eman hereby certifies as follows:

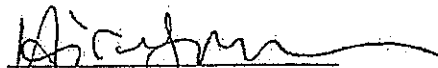
1. The attached translation from Hebrew to English is an accurate representation of the document received by Rina Ne'eman Hebrew Language Services, to the best of my knowledge and belief. The document is designated as P5: 68-109.
2. I am a professional translator with a B.A. in International Relations from the Hebrew University of Jerusalem (Israel) and 30 years of translation experience. I am fluent in Hebrew and English, and I am qualified to translate accurately from Hebrew to English.
3. To the best of my knowledge and belief, the accompanying text is a true, full and accurate translation of the Hebrew-language document bearing the bates number, P5: 68-109.

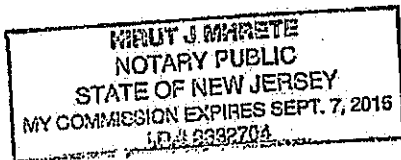
  
\_\_\_\_\_  
Rina Ne'eman

ss.: New Jersey

On the 28 day of February, 2014 before me, the undersigned, personally appeared Rina Ne'emian, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is signed to this Declaration and acknowledged to me that he executed the same in his capacity, and that by his signature on this Declaration, the individual executed the Declaration.

Sworn to me this  
28 day of February, 2014

  
Notary Public









[illegible]

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מס' תיק: 3739/02

14/01/03

בית המשפט הצבאי בבית אל

פרוטוקול הדיון של ישיבת הרכב

בפני : - אב"ד סא"ל נתנאל בנישו  
 - שופט סרן יצחק אוזדין  
 - שופט סרן בן ציון שפר

תובע: סרן מיכאל קוטליק - נוכח

נאשם: נאצר ג'מאל מוסא שוויש ת.ז. 993006188 / שב"ס - נוכח

מתורגמן: סמ"ר מוחמד נאסר אלדין  
 רשמת: טור' הדס ביליצקי

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 אב"ד מותח את הישיבה ומזהה את הנאשם.

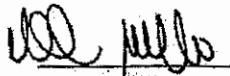
### הכרעת דין

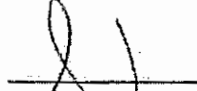
על יסוד הודאותיו של הנאשם בישיבות ביהמ"ש מיום 06/10/02, 24/11/02, 10/12/02, 14/01/03, אנו מרשיעים את הנאשם בעבירות המיוחסות לו בפרטי האישום הבאים:

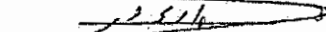
1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 21 (בהתאם לדברי הנאשם מיום 10/12/02), 22 (בכפוף לתיאור הדברים כפי שנמסר על ידי הנאשם), 23, 24 (בהסתייגות כי הנאשם תיכנן שהפיגוע יבוצע לעבר חיילים במחסום ארם), 25 (בכפוף לתיאור הדברים כפי שנמסר על ידי הנאשם), 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 39, 42.

אנו מזכים את הנאשם מפרטי האישום הבאים: 4, 16, 20, 37, 38, 40, 41, 43.  
 היתן צוואת אישום 14/01/03.

ניתן והודע היום, 14/01/03, בבפומבי ובמעמד הצדדים.

  
 שופט

  
 אב"ד

  
 שופט